

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|--------------------------|---|-------------|
| IN THE MATTER OF |) | BK 10-81345 |
| DARYELL ZELLMER AND |) | |
| KATHY LYNN NUTT-ZELLMER, |) | |
| debtor. |) | chapter 13 |

MOTION TO REINSTATE CHAPTER 13 CASE

COMES NOW the debtors, Daryell and Kathy L. Nutt-Zellmer, and move this court for an order reinstating their chapter 13 case for the following reasons:

1. Debtor has the ability to make his chapter 13 plan payments.
2. Once reinstated debtor will amend the plan to provide for the missed payments.

WHEREFORE the debtors pray that the court will enter an order reinstating their case and for any other relief that the court feels is just and equitable.

debtors,

Daryell Zellmer and
Kathy Lynn Nutt-Zellmer,

Patricia Geringer,
Patricia Geringer 17302
attorney for debtors
2421 'O' Street
Omaha, Ne 68107
402-734-0635

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NOTICE SETTING RESISTANCE DEADLINE

PURSUANT TO Neb R. Bankr P 9013, You are notified as follows:

1. Patricia Geringer, attorney for the above captioned debtor, Daryell Zellmer and Kathy Nutt-Zellmer have filed a Motion to Reinstate the above Chapter 13 case.
2. The last day to file a resistance to the Motion to Reinstate is March 8, 2011. The Resistance must be served upon the Court and on Debtor's Counsel.
3. If the resistance period expires without the filing of any resistance, and declaration, the Court will consider entering an order granting the relief sought without further notice or hearing.

DATED: February 16, 2011

Daryell Zellmer and
Kathy L. Nutt-Zellmer, debtors,

Patricia Geringer,
Patricia Geringer 17302
attorney for debtor
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